

JAN 10 2017

JULIA C. DUDLEY, CLERK
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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

VINCENT CLARK,) CASE NO. 7:17CV00011

Petitioner,)
v.) FINAL ORDER

COMMONWEALTH OF VIRGINIA,) By: Glen E. Conrad
Respondent.) Chief United States District Judge

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that this action, construed and docketed as a petition for a writ of habeas corpus under 28 U.S.C. § 2254, is **DISMISSED WITHOUT PREJUDICE** for lack of jurisdiction, and this action is stricken from the active docket of the court.

Further, finding that petitioner has failed to make a substantial showing of the denial of a constitutional right as required by 28 U.S.C. § 2253(c)(1), a certificate of appealability is **DENIED**.

ENTER: This 10th day of January, 2017.

Glen Conrad

Chief United States District Judge